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NOTES OF CASES.

Adopting a Mother.—Plaintiff, in the case of *Mellville v. Wickham*, 169 Southwestern Reporter, 1123, sought recovery against the Woodmen of the World on a benefit certificate issued on the life of one John W. Pace. Mrs. Mellville was Pace's foster mother. The certificate described her as being his aunt, though she bore no such relationship to him. Subsequently he took proper steps to have her declared a legal heir by adoption, and asked the Woodmen to issue a new certificate for her benefit as being entitled under the new relationship. This was refused on the ground that the certificate must be payable to a blood relative and statement made that she would not be allowed to collect the amount of the original certificate in the event of death of insured. It appeared, however, that the organization received premiums thereafter. The laws of the Woodmen provide that beneficiaries shall be wife, children, adopted children, etc. Article 4832 of the Revised Statutes of Texas provides that payment of death benefits by beneficial associations shall be confined to a wife, husband, relative by blood, children by adoption, etc. Did plaintiff, who had been deceased's foster mother, become his "child" by adoption? The Court of Civil Appeals of Texas held that she did, and that the word "children" as used in both the laws of the association and the statutes was meant to designate relationship and not age. A judgment in favor of defendant was reversed.

A Calf and Its Maternity, a Disobedient Juror and a New Trial.—A juror, in the case of *Driscoll v. Gatcomb*, 92 Atlantic Reporter, 39, an action of replevin of a calf, in which the maternity of the calf was an important element, decided that the alleged mother was the best evidence to determine that question, and made a special trip to plaintiff's premises in order to distinguish, from the appearance of the two animals, the relationship between them. Upon arriving at the place he denied to the plaintiff that he was connected with the court in any way, and was permitted to examine the cow and calf. The defendant did not learn of the actions of the juror until after the rendition of the verdict, when he at once filed his motion for a new trial, which was granted by the Supreme Judicial Court of Maine.

Validity of Law Prohibiting Contracts with Employees to Not Join Labor Unions.—In 1903 the Legislature of the state of Kansas enacted a statute providing, in substance, that it shall be unlawful for any employer to require, as a condition of the contract with an employee, that he shall not become a member of any labor organi-